

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TESTING TECHNOLOGIES, INC. and
MG PREP, INC.,

ECF CASE

Plaintiffs,

-against-

07 Civ. 7360 (WHP)

MO MEDIA, LLC, PAUL OWENS, and
JOHN DOES 1-10,

Defendants.

-----X

DECLARATION OF SEAN SELINGER

Sean Selinger declares and states:

1. I am the owner of the Plaintiff, Testing Technologies, Inc., and I make this Declaration in opposition to Defendant Paul Owens' motion to dismiss for lack of personal jurisdiction, improper venue or, alternatively, to transfer venue.

2. I re-affirm in its entirety my Declaration submitted in opposition to the Mo Media motion, and I respectfully request that my previous Declaration be incorporated herein in its entirety.

3. Defendant Owens declared in an arbitration proceeding,
<http://www.domainstatute.com/domain-name-disputes/naf3/406994.html>
that he engaged in an enormous promotional effort to schools and libraries for TestPrepReview (which claimed to be a nonprofit) and fake nonprofits promoted to schools was specifically mentioned in the lawsuit. Many schools and institutions in the

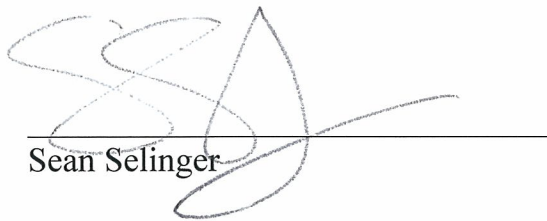
Southern District linked to these proxy sites which claimed to be nonprofits or run under fake identities. TestPrepReview specifically targets New York residents and institutions for fraud with its page: <http://www.testprepreview.com/nystcelinks.htm> for the New York State Teacher Certification Exams. Paul Owens promoted TestPrepReview (which claimed to be a nonprofit site) from 2003 to at least 2005. TestPrepReview is an interactive site that accepts email addresses. The emails to schools were done while TestPrepReview was under the guise of nonprofit status. Nonprofit organizations may potentially violate IRS rules if they linked to a for-profit organization, so the guise of nonprofit status is essential for getting their links. As a result of this fraud, dozens of schools, nonprofit organizations and libraries in New York link to TestPrepReview. TestPrepReview has operated on the same IP address and server as Mo Media sites through 2007. It also operates out of the same address as Mo Media. TestPreview.com (a mirror of TestPrepReview) was registered under Mo Media, thus implicating Mo Media and Paul Owens in the scheme.

4. Some schools and nonprofits in the Southern District linking to the TestPrepReview are: Rockland County Community College, City University of New York, NYC Bar Association, New York Medical College, recap.org, Monticello High School, Armory Track, Channel 13 (PBS), learningleaders.org, College Access Consortium, New York Military Academy and Pace University. It is reasonable to expect that these institutions would not have linked to TestPrepReview if they knew the owner was not a nonprofit group of educators, but a twentysomething running a business out of

his home in Beaumont, Texas and using the site to drive traffic to his company's sites that target teenagers and students by making flagrantly false claims about test prep secrets.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2008



Sean Selinger